

Decision No. 61049

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own)
motion into warehouse operative rights) Case No. 6876
of INLAND TRANSPORTATION CORPORATION,)
a corporation.)

SUPPLEMENTAL OPINION AND ORDER

The Order Instituting Investigation and Determining Operative Rights issued in this proceeding on August 23, 1960, determined the warehouse operative rights of Inland Transportation Corporation, a corporation, on the basis of good faith operations on September 1, 1959, under a tariff on file with the Commission.

On October 21, 1960, Frank Loughran, attorney for Consolidated Freightways Corporation, informed the Commission in writing as follows:

"The Commission, by the order above referred to, issued on August 23, 1960, recognizes the authority of Inland Transportation Corporation to operate as a public warehouse in Orange County by virtue of operations conducted on September 1, 1959. Not too long after September 1, 1959, Consolidated Freightways, pursuant to authority granted to it by the Interstate Commerce Commission, acquired all of the physical properties and assets of Inland Transportation Corporation. Immediately after it acquired these physical properties and assets, and long prior to August 23, 1960, Inland Transportation Corporation was dissolved. It therefore had no corporate existence on August 23, 1960, the date when the aforesaid Order of the Commission was issued.

"At the time when Consolidated Freightways acquired the physical properties and assets of Inland Transportation Corporation it was not aware that the corporation made any claim to public warehouse authority in Orange County, and it did not acquire any title to any such authority.

"It is suggested that, in view of the foregoing facts, it would be desirable for the Commission to issue an order cancelling the warehouse authority which is recognized by the Commission Order of August 23, 1960, in Case No. 6876."

In the circumstances, the warehouse operative rights will be annulled.

Therefore, good cause appearing,

IT IS ORDERED:

(1) That the letter from Frank Loughran dated October 20, 1960, is entered in this proceeding as Exhibit No. 2.

(2) That any and all operative rights of Inland Transportation Corporation, a corporation, as a public utility warehouseman, are hereby annulled.

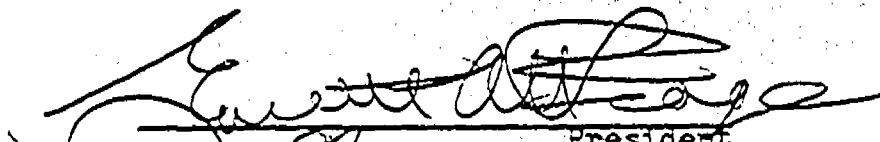
(3) That Warehouse Tariff No. 1, Cal.P.U.C. No. 1, of Inland Transportation Corporation, a corporation, is hereby canceled.


(4) That this proceeding is discontinued upon the effective date of this order.

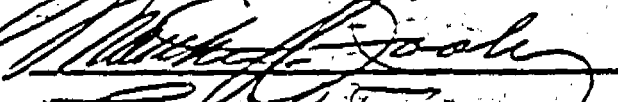
The Secretary is directed to cause service of a certified copy of this order to be made upon Consolidated Freightways Corporation, successor in interest to Inland Transportation Corporation, and upon Frank Loughran.

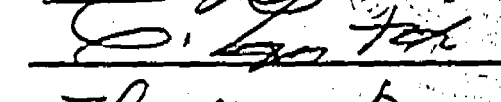
This order shall become effective twenty days after the date hereof.

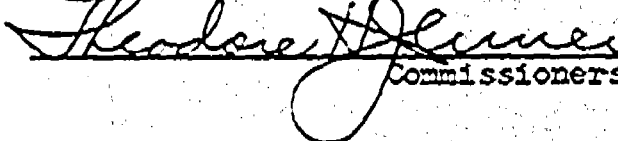
Dated at San Francisco, California, this 15th day of November, 1960.



President








Commissioners